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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,551	10/28/2003	John L. Loth	193	5471

48962 7590 08/18/2005

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EXAMINER

HESS, DOUGLAS A

ART UNIT PAPER NUMBER

3651

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,551

Applicant(s)

LOTH, JOHN L.

Examiner

Douglas A. Hess

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-26 and 28-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 is/are allowed.
- 6) ☒ Claim(s) 20-26, 28-30, 32, 33, 36 and 37 is/are rejected.
- 7) ☒ Claim(s) 31, 34 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> . |

Continuation of Attachment(s) 6). Other: Marked up Copy of Cook Patent Cover Sheet.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains more than the allowed 150 words.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 14 is objected to because of the following informalities: It appears in line 6, "the" before "inertial" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3651

4. Claims 20-26 and 28-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 37 recites the limitation "the sleeve-type bearing housings" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 20-26, 28-30, 32, 33, 36, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook (US Pat. 5,234,100).

See the attached marked up copy of the Cook cover sheet depicting the claimed features. It should be noted that reference numeral 31 on the attached Cook cover sheet has now been labeled as a bearing sleeve (with regards to claim 37).

RE claim 33, the functional application does not carry patentable weight, since one could use the device of Cook in that environment.

Allowable Subject Matter

7. Claims 1-18 are allowed.

Art Unit: 3651

8. Claims 31, 34 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Applicant's arguments filed May 25, 2005 have been fully considered but they are not persuasive. Regarding claim 37, the bearing housing or sleeve (reference numeral 31 on the cover sheet drawing of Cook) meets the current claim language "sleeve-type" as broadly claimed in line 3 of claim 37.

10. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 3651

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas A Hess whose telephone number is 571-272-6915. The examiner can normally be reached on M-Thurs 5:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Douglas A Hess
Primary Examiner
Art Unit 3651
8-17-05

DAH
August 17, 2005

United States Patent [19]

Cook

[11] Patent Number: 5,234,100

[45] Date of Patent: Aug. 10, 1993

[54] CONVEYOR IDLERS AND ROLLERS AND BEARING HOUSING ASSEMBLIES FOR THEM

[75] Inventor: Anthony V. Cook, Hallow, England

[73] Assignee: Edwin Lowe Limited, Birmingham, England

[21] Appl. No.: 739,105

[22] Filed: Jul. 31, 1991

[30] Foreign Application Priority Data

Oct. 4, 1990 [GB] United Kingdom 9021552

[51] Int. Cl.³ B65G 39/10

[52] U.S. Cl. 198/842; 384/518; 384/563

[58] Field of Search 384/517, 518, 563, 477, 384/486, 546; 198/842

[56] References Cited

U.S. PATENT DOCUMENTS

1,906,464	5/1933	Hapgood	384/563 X
2,509,587	5/1950	Creson	384/518
2,736,617	2/1956	Lippmann	384/563
3,554,620	1/1971	Dalton	
4,227,755	10/1980	Lundberg	384/518
4,364,615	12/1982	Euler	384/517
4,606,659	8/1986	Hogan	384/518
4,643,300	2/1987	Morrison	198/842
4,699,528	10/1987	Gotman	384/518 X
4,732,495	3/1988	Brandenstein et al.	384/518

4,913,564 4/1990 Stephan et al. 384/518
4,972,939 11/1990 Uttke et al. 198/842 X

FOREIGN PATENT DOCUMENTS

75080/74	5/1976	Australia
3027869	3/1982	Fed. Rep. of Germany
3139435	8/1982	Fed. Rep. of Germany
3215888	11/1983	Fed. Rep. of Germany
1135722	5/1957	France
2024264	8/1970	France
1062112	3/1967	United Kingdom
1288794	9/1972	United Kingdom
1399430	7/1975	United Kingdom
2059011	4/1981	United Kingdom
2158525	11/1985	United Kingdom

Primary Examiner—D. Glenn Dayoan
Attorney, Agent, or Firm—Leydig, Voit & Mayer

[57] ABSTRACT

A bearing housing assembly for a roller includes a housing; bearings provided in the housing and having first and second bearing components provided in the housing with the components being relatively rotatable, a retaining cup holding the components in the housing, and a resilient biasing device held in the housing so as to transmit force to at least one of the components so as to urge the components relative to the housing. The biasing device is preferably a frusto-conical spring and the bearings are preferably taper roller bearings.

19 Claims, 4 Drawing Sheets

